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May 14, 2004

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Commissioner for Patents
PO Box 1450
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***Art Unit 2651***

Re: U.S. Utility Patent Application
Application No. 10/753,463; Filed: January 9, 2004
For: **Magnetic Head Suspension**
Inventor: Yasuo FUJIMOTO
Our Ref: 2244.0160000/EJK

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
2. Form PTO-1449 (1 page) citing three (3) references;
3. One (1) copy of cited reference;
4. Submission of Certified Copy of 35 U.S.C. § 119(a)-(d) Priority Document in Utility Application;
5. Certified copy of Japanese Application No. 2003-006077, filed January 14, 2003; and
6. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Edward J. Kessler
Attorney for Applicant
Registration No. 25,688

EJK/gm
Enclosures

256897.v1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In re application of: | Confirmation No.: 6417 |
| Yasuo FUJIMOTO | Art Unit: 2651 |
| Appl. No.: 10/753,463 | Examiner: (to be assigned) |
| Filed: January 9, 2004 | Atty. Docket: 2244.0160000 |
| For: **Magnetic Head Suspension** | |

## Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicant has listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicant has checked the appropriate boxes below.

☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.

☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of $_____ in payment of the fee under 37 C.F.R. § 1.17(p).

☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of $_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign

application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

☒ 6. A concise explanation of the relevance of non-English language document AJ1 appears below:

Document AJ1 (JP 58-22827 B2) appears to describe a transducer suspension mount apparatus. Document AB1 (US 4,167,765) is a counterpart U.S. Patent to document AJ1.

☒ 7. A copy of document AJ1 is submitted herewith.

☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No._____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

☒ 9. No copies of the U.S. patents cited (AA1 and AB1) on the attached Form PTO-1449 are submitted in accordance with 1276 OG 55 because this application was filed after June 30, 2003.

☐ 10. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). _____ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Edward J. Kessler
Attorney for Applicant
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Date: 5/14/04

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263836_1.DOC

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MAY 14 2004
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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

| ATTY. DOCKET NO. | APPLICATION NO. |
|---|---|
| 2244.0160000 | 10/753,463 |
| INVENTOR | |
| Yasuo FUJIMOTO. | |
| FILING DATE | ART UNIT |
| January 9, 2004 | 2651 |

**U.S. PATENT DOCUMENTS**

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---|---|---|---|---|---|---|---|
| | AA1 | 3,931,641 | 01/1976 | Watrous | | | |
| | AB1 | 4,167,765 | 09/1979 | Watrous | | | |
| | AC | | | | | | |
| | AD | | | | | | |
| | AE | | | | | | |
| | AF | | | | | | |
| | AG | | | | | | |
| | AH | | | | | | |
| | AI | | | | | | |

**FOREIGN PATENT DOCUMENTS**

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|---|---|---|---|---|---|---|---|
| | AJ1 | 58-22827 B2 | 05/1983 | JP | | | No |
| | AK | | | | | | Yes No |
| | AL | | | | | | Yes No |
| | AM | | | | | | Yes No |

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

| | | | |
|---|---|---|---|
| | AN | | |
| | AO | | |
| | AP | | |
| | AQ | | |
| | AR | | |

| EXAMINER | DATE CONSIDERED |
|---|---|

**EXAMINER**: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.